

HOUSE CONSUMER AND PUBLIC AFFAIRS COMMITTEE SUBSTITUTE FOR  
HOUSE BILL 341

**47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006**

AN ACT

RELATING TO PROFESSIONAL AND OCCUPATIONAL LICENSURE; CHANGING  
LICENSE RENEWAL CYCLE AND LICENSURE EXAMINATION REQUIREMENTS;  
PROVIDING FOR PROVISIONAL AND TEMPORARY LICENSURE AND  
RECIPROCITY; AMENDING AND ENACTING SECTIONS OF THE PROFESSIONAL  
PSYCHOLOGIST ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 61-9-7 NMSA 1978 (being Laws 1963,  
Chapter 92, Section 6, as amended) is amended to read:

"61-9-7. FEES--LICENSE RENEWAL.--

A. All fees from applicants seeking licensure under  
the Professional Psychologist Act and all license renewal fees  
received under the Professional Psychologist Act shall be  
credited to the psychology fund. No fees shall be refunded.

B. The board shall set the charge for an

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underscored material = new  
[bracketed material] = delete

1 application fee of up to [~~three hundred dollars (\$300)~~] six  
2 hundred dollars (\$600) to applicants for licensure under  
3 Sections 61-9-9 through 61-9-11.1 NMSA 1978.

4 C. The board may establish a method to provide for  
5 staggered biennial terms. The board may authorize license  
6 renewal for one year to establish the renewal cycle.

7 [~~C. Each~~] D. A licensee shall renew [~~his~~] a  
8 license [~~annually~~] biennially on or before July 1 by remitting  
9 to the board the renewal fee set by the board not exceeding  
10 [~~three hundred dollars (\$300)~~] six hundred dollars (\$600) and  
11 providing proof of continuing education as required by  
12 regulation of the board. Any license issued by the board may  
13 be suspended if the holder fails to renew [~~his~~] the license by  
14 July 1 of any year. A license suspended for failure to renew  
15 may be renewed within a period of one year after the suspension  
16 upon payment of the renewal fee plus a late fee of one hundred  
17 dollars (\$100), together with proof of continuing education  
18 satisfactory to the board. The license shall be revoked if the  
19 license has not been renewed within one year of the suspension  
20 for failure to renew. Prior to issuing a new license, the  
21 board may in its discretion require full or partial examination  
22 of a former licensee whose license was revoked because of  
23 failure to renew."

24 Section 2. Section 61-9-10 NMSA 1978 (being Laws 1963,  
25 Chapter 92, Section 9, as amended) is amended to read:

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1           "61-9-10. LICENSURE OF PSYCHOLOGISTS FROM OTHER  
 2   AREAS--RECIPROCITY--Subject to the provisions of Section 5 of  
 3   this 2006 act, upon application accompanied by [~~such~~] a fee as  
 4   [is] required by the Professional Psychologist Act, the board  
 5   may, without written or oral examination, issue a license to  
 6   [any] a person who furnishes, upon a form and in such manner as  
 7   the board prescribes, evidence satisfactory to the board that  
 8   [he] the person is licensed or certified as a psychologist by  
 9   another state, territorial possession of the United States,  
 10   District of Columbia, [~~or~~] Commonwealth of Puerto Rico or  
 11   Canadian province if the requirements for [~~such~~] that license  
 12   or certification are deemed by the board equivalent to those  
 13   contained in the Professional Psychologist Act. The board  
 14   shall promulgate rules in accordance with the standards and  
 15   guidelines set forth by the American psychological association  
 16   or the association of state and provincial psychology boards to  
 17   ensure a process of reciprocity for licensure of experienced  
 18   practitioners from other states or a Canadian province."

19           Section 3. Section 61-9-11 NMSA 1978 (being Laws 1963,  
 20   Chapter 92, Section 10, as amended) is amended to read:

21           "61-9-11. LICENSURE--EXAMINATION.--

22           A. The board shall issue a license as a  
 23   psychologist to [~~each~~] an applicant who files an application  
 24   upon a form and in such manner as the board prescribes,  
 25   accompanied by the fee required by the Professional

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1 Psychologist Act, and who furnishes evidence satisfactory to  
2 the board that ~~[he]~~ the applicant:

3 (1) has reached the age of majority;

4 (2) is of good moral character;

5 (3) is not in violation of any of the  
6 provisions of the Professional Psychologist Act and the rules  
7 adopted pursuant to that act;

8 ~~[(4) holds a doctoral degree based in part on  
9 a psychological dissertation from a school or college;~~

10 ~~(5) has had an internship approved by the  
11 American psychological association and one year of experience  
12 after receiving the doctoral degree or has had, after receiving  
13 the doctoral degree, at least two years of supervised  
14 experience in psychological work of a type satisfactory to the  
15 board; and]~~

16 (4) is a graduate of a doctoral program that  
17 is designated as a doctoral program in psychology by a  
18 nationally recognized designation system or that is accredited  
19 by a nationally recognized accreditation body and holds a  
20 degree with a major in clinical, counseling or school  
21 psychology from a university offering a full-time course of  
22 study in psychology;

23 (5) has had:

24 (a) one year of pre-doctoral internship  
25 approved by the American psychological association and one year

1 of pre-doctoral supervised training;

2 (b) a post-doctoral internship approved by the  
3 American psychological association and one year of supervised  
4 professional training after receiving the doctoral degree; or

5 (c) after receiving the doctoral degree, at  
6 least two years of supervised experience in psychological work  
7 of a type satisfactory to the board;

8 (6) demonstrates professional competence by passing  
9 ~~{a}~~ the examination for professional practice in psychology  
10 promulgated by the association of state and provincial  
11 psychology boards with a total raw score of 140 ~~{70%}~~  
12 (seventy percent), before January 1, 1993 or, if after January  
13 1, 1993, a score equal to or greater than the passing score  
14 recommended by the association of state and provincial  
15 psychology boards ~~and~~

16 ~~(b) an oral examination administered and~~  
17 ~~graded by the board, investigating the applicant's training,~~  
18 ~~experience and knowledge. The oral examination shall be~~  
19 ~~evaluated on a pass-fail basis];~~

20 (7) demonstrates an awareness and knowledge of  
21 New Mexico cultures as determined by the board; and

22 (8) passes such jurisprudence examination as  
23 may be given by the board through an on-line testing and  
24 scoring mechanism.

25 B. Upon investigation of the application and other

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1 evidence submitted, the board shall, not less than thirty days  
2 prior to the examination, notify each applicant that the  
3 application and evidence submitted for licensure are  
4 satisfactory and accepted or unsatisfactory and rejected. If  
5 rejected, the notice shall state the reasons for rejection.

6 C. The place of examination shall be designated in  
7 advance by the board, and examinations shall be given at such  
8 time and place and under such supervision as the board may  
9 determine.

10 D. In the event an applicant fails to receive a  
11 passing grade, ~~he~~ the applicant may apply for reexamination  
12 and shall be allowed to take a subsequent examination upon  
13 payment of the fee required by the Professional Psychologist  
14 Act.

15 E. The board shall keep a record of all  
16 examinations, and the grade assigned to each, as part of its  
17 records for at least two years subsequent to the date of  
18 examination."

19 Section 4. Section 61-9-11.1 NMSA 1978 (being Laws 1983,  
20 Chapter 334, Section 4, as amended) is amended to read:

21 "61-9-11.1. PSYCHOLOGIST ASSOCIATES--LICENSURE--  
22 EXAMINATION.--

23 A. The board shall issue a license as a  
24 psychologist associate to each applicant who files an  
25 application upon a form and in such manner as the board

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1 prescribes, accompanied by the fee required by the Professional  
 2 Psychologist Act, and who furnishes evidence satisfactory to  
 3 the board that ~~he~~ the applicant:

4 (1) has reached the age of majority, is of  
 5 good moral character and is not in violation of any of the  
 6 provisions of the Professional Psychologist Act and the rules  
 7 and regulations adopted pursuant to that act;

8 (2) holds a master's degree in psychology from  
 9 a department of psychology of a school or college; ~~and~~

10 (3) demonstrates professional competence by  
 11 passing ~~(a)~~ the examination for professional practice in  
 12 psychology promulgated by the association of state and  
 13 provincial psychology boards with a score equivalent to or  
 14 greater than the statistical mean as reported by the  
 15 association of state and provincial psychology boards for all  
 16 master's-level candidates taking the examination on that  
 17 occasion ~~and~~

18 ~~(b) an oral examination administered and~~  
 19 ~~graded by the board, investigating the applicant's training,~~  
 20 ~~experience and knowledge of his area of practice. The oral~~  
 21 ~~examination shall be evaluated on a pass-fail basis];~~

22 (4) demonstrates awareness and knowledge of  
 23 New Mexico cultures as determined by the board; and

24 (5) passes such jurisprudence examination as  
 25 may be given by the board through an on-line testing and

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1 scoring mechanism.

2 B. Upon investigation of the application and other  
3 evidence submitted, the board shall, not less than thirty days  
4 prior to the examination, notify each applicant that the  
5 application and evidence submitted for licensure is  
6 satisfactory and accepted or unsatisfactory and rejected. If  
7 rejected, the notice shall state the reasons for rejection.

8 C. The place of examination shall be designated in  
9 advance by the board, and examinations shall be given at such  
10 time and place and under such supervision as the board may  
11 determine.

12 D. In the event an applicant fails to receive a  
13 passing grade, ~~[he]~~ the applicant may apply for reexamination  
14 and shall be allowed to take a subsequent examination upon  
15 payment of the fee required by the Professional Psychologist  
16 Act.

17 E. The board shall keep a record of all  
18 examinations, and the grade assigned to each, as part of its  
19 records for at least two years subsequent to the date of  
20 examination.

21 F. The board may adopt reasonable rules and  
22 regulations classifying areas and conditions of practice  
23 permissible for psychologist associates."

24 Section 5. A new section of the Professional Psychologist  
25 Act is enacted to read:

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1 "[NEW MATERIAL] PROVISIONAL AND TEMPORARY LICENSURE.--

2 A. A temporary license may be issued to an applicant  
3 previously licensed in another jurisdiction and in good  
4 standing whose out-of-state license meets current licensing  
5 criteria for New Mexico. A temporary license shall be valid  
6 for six months and is not subject to extension or renewal.

7 B. A provisional license may be issued to an  
8 applicant never previously licensed and who does not meet New  
9 Mexico's experience requirements for psychology licensure, but  
10 who otherwise meets criteria for education and training. A  
11 provisionally licensed psychologist must practice under the  
12 supervision of a New Mexico licensed psychologist until fully  
13 licensed. A provisional license shall be valid for eighteen  
14 months and is not subject to extension or renewal."